

Message

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**From:** Black, Jonathan (Tom Udall) [Jonathan\_Black@tomudall.senate.gov]  
**Sent:** 12/14/2016 4:46:39 PM  
**To:** Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]  
**Subject:** Re: Question

Will do. Maybe tomorrow. At the epa event right now.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message

From: Jones, Jim  
Sent: Wednesday, December 14, 2016 11:46 AM  
To: Black, Jonathan (Tom Udall)  
Subject: RE: Question

Sweet. Could you send me a copy? Jim

-----Original Message-----

From: Black, Jonathan (Tom Udall) [mailto:Jonathan\_Black@tomudall.senate.gov]  
Sent: Wednesday, December 14, 2016 11:45 AM  
To: Jones, Jim <Jones.Jim@epa.gov>  
Subject: Re: Question

Yes. I have it.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Original Message

From: Jones, Jim  
Sent: Wednesday, December 14, 2016 11:38 AM  
To: Black, Jonathan (Tom Udall)  
Subject: Question

Do you recall an AG letter signed by Scott Pruitt in support of TSCA reform? Jim

Sent from my iPhone

Message

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**From:** Jones, Jim [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C32C4B9347004778B0A93A4CBD83FC8A-JJONES1]  
**Sent:** 12/14/2016 4:50:43 PM  
**To:** Black, Jonathan (Tom Udall) [Jonathan\_Black@tomudall.senate.gov]  
**Subject:** RE: U.S. Sen. Tom Udall - Statement for U.S. EPA Public Meeting on New Chemicals - (12-13-16)

This is great.

---

**From:** Black, Jonathan (Tom Udall) [mailto:Jonathan\_Black@tomudall.senate.gov]  
**Sent:** Wednesday, December 14, 2016 11:47 AM  
**To:** Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>; Jones, Jim <Jones.Jim@epa.gov>  
**Subject:** Fw: U.S. Sen. Tom Udall - Statement for U.S. EPA Public Meeting on New Chemicals - (12-13-16)

Fyi... delivered a tad earlier.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

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**From:** Black, Jonathan (Tom Udall) <Jonathan\_Black@tomudall.senate.gov>  
**Sent:** Tuesday, December 13, 2016 5:10 PM  
**To:** Black, Jonathan (Tom Udall)  
**Subject:** U.S. Sen. Tom Udall - Statement for U.S. EPA Public Meeting on New Chemicals - (12-13-16)

Thank you to EPA and to all of the stakeholders who have convened here today.

Passing TSCA reform legislation earlier this year was a great victory for public health and bipartisan cooperation. It required robust dialogue and collaboration between many different groups with many different priorities.

We could not have done it without constructive dialogue among the affected communities. So everyone's participation is extremely appreciated.

Among the different views and opinions we encountered during our reform effort were strong feelings about the effectiveness of the new chemicals program – the topic of today’s meeting.

My staff is here to listen to the views of all stakeholders and to learn more about how these reforms are impacting you and the public.

But first, I would like to highlight how important these reforms were to myself and other Senators.

Prior to our reforms, I had almost no confidence that new chemicals were getting a robust and serious review by EPA.

While I have great admiration for the staff at EPA and their work, I felt very strongly that the requirements set out for new chemicals in the original TSCA did not do enough to ensure public health and safety.

The reforms we implemented and the principles behind them, therefore, were essential to me. I would not have supported other compromises in the package without them.

My guiding principle was to ensure health and safety were prioritized in new chemical reviews.

That was crystallized in an EPA determination of safety before allowing a chemical onto the market.

One thing that gave me very little confidence in the efficacy of the new chemicals program prior to reform was the process by which a chemical could enter the market without such a determination by EPA.

I can appreciate that there are many in industry who prioritized speed of approval above such determinations.

And I can appreciate that there may be some growing pains now, especially as new chemical reviews and determinations began to take place immediately – one of the areas of the new law to do so.

I want to continue working with affected communities, businesses and the EPA to ensure that these changes are as efficient and sensible as possible.

But I want to ensure that our intent and the plain reading of the law is implemented – a new chemical should not enter the market without a finding based on safety and sufficient information or without restrictions necessary to prevent harm while sufficient information is being developed.

I fully understand that implementing these changes will require everyone to make some adjustments, but I sincerely believe they will be beneficial to all sides in the long-run.

We all have an interest in restoring confidence in the system.

A strong, effective, and working new chemicals program that prioritizes health and safety of the public will lead to the confidence we all need in our reformed law.

Message

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**From:** Jones, Jim [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C32C4B9347004778B0A93A4CBD83FC8A-JJONES1]  
**Sent:** 12/14/2016 4:48:41 PM  
**To:** Black, Jonathan (Tom Udall) [Jonathan\_Black@tomudall.senate.gov]  
**Subject:** RE: Question

No rush.. Glad you are there.

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**Sent:** 12/14/2016 4:45:58 PM  
**To:** Black, Jonathan (Tom Udall) [Jonathan\_Black@tomudall.senate.gov]  
**BCC:** Schmit, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7077ecbac4914a00ad465398f92bbe78-Schmit, Ryan]  
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**From:** Black, Jonathan (Tom Udall) [Jonathan\_Black@tomudall.senate.gov]  
**Sent:** 12/1/2016 3:12:52 PM  
**To:** Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]  
**CC:** Kaiser, Sven-Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ac78d3704ba94edbbd0da970921271ff-SKAISER]  
**Subject:** RE: Bipartisan Group of Senators Urge Smooth Transition for Chemical Safety Reform Implementation in New Administration

Thanks!

Any idea who to actually send it to? We sent it over through USPS and to a GSA web email for the Transition team, but would like to get it to a real live person.

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**From:** Jones, Jim [mailto:Jones.Jim@epa.gov]  
**Sent:** Thursday, December 01, 2016 10:11 AM  
**To:** Black, Jonathan (Tom Udall) <Jonathan\_Black@tomudall.senate.gov>  
**Subject:** Fwd: Bipartisan Group of Senators Urge Smooth Transition for Chemical Safety Reform Implementation in New Administration

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**From:** "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>  
**Date:** December 1, 2016 at 6:55:51 AM PST  
**To:** "Jones, Jim" <Jones.Jim@epa.gov>, "Cleland-Hamnett, Wendy" <Cleland-Hamnett.Wendy@epa.gov>, "Morris, Jeff" <Morris.Jeff@epa.gov>, "Cunningham-HQ, Barbara" <Cunningham-HQ.Barbara@epa.gov>, "Strauss, Linda" <Strauss.Linda@epa.gov>, "Schmit, Ryan" <schmit.ryan@epa.gov>, "Distefano, Nichole" <DiStefano.Nichole@epa.gov>, "Brown, Tristan" <Brown.Tristan@epa.gov>  
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FYI

Sven-Erik Kaiser  
U.S. EPA  
Office of Congressional and Intergovernmental Relations  
1200 Pennsylvania Ave., NW (1305A)  
Washington, DC 20460  
202-566-2753

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**From:** Black, Jonathan (Tom Udall) [mailto:Jonathan\_Black@tomudall.senate.gov]  
**Sent:** Thursday, December 01, 2016 9:41 AM  
**To:** Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>  
**Subject:** FW: Bipartisan Group of Senators Urge Smooth Transition for Chemical Safety Reform Implementation in New Administration



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**From:** Tom Udall Press Office  
**Sent:** Wednesday, November 30, 2016 5:34 PM  
**To:** Tom Udall Press Office <NEWS\_PressOffice@tomudall.senate.gov>  
**Subject:** Bipartisan Group of Senators Urge Smooth Transition for Chemical Safety Reform Implementation in New Administration



**FOR IMMEDIATE RELEASE**

November 30, 2016

**Contact:**

Jennifer Talhelm (Udall), 202.228.6870, [news\\_pressoffice@tomudall.senate.gov](mailto:news_pressoffice@tomudall.senate.gov)

**Bipartisan Group of Senators Urge Smooth Transition for Chemical Safety Reform Implementation in New Administration**  
***In Letter to Trump Transition Team, Senators Call on New Administration to 'Maintain Momentum' on TSCA Reform***

WASHINGTON — Today, U.S. Senators Tom Udall (D-N.M.) and James Inhofe (R-Okla.), along with Senators Cory Booker (D-N.J.), Shelley Moore Capito (R-W.V.), Tom Carper (D-Del.), Mike Crapo (R-Idaho), Edward J. Markey (D-Mass.), Jeff Merkley (D-Ore.), and Sheldon Whitehouse (D-R.I.) sent a bipartisan letter to Vice President-elect Mike Pence in his role as chair of the Presidential Transition Team Executive Committee, urging the new administration to ensure there is continuity in the implementation of the landmark, bipartisan Frank R. Lautenberg Chemical Safety for the 21st Century Act. The historic chemical safety law, which was signed into law in June with broad bipartisan support, reforms the badly broken Toxic Substances Control Act (TSCA) of 1976 and is focused on protecting children, families and communities from potentially dangerous chemicals.

As the senators wrote, "TSCA was severely crippled in the 1990s and failed to provide basic health and safety protection for the American public. Uncertainty in the regulatory program also harmed innovation and consumer confidence in everyday products. The reformed law requires the Environmental Protection Agency (EPA) to make many critical decisions in the first months and years of the program, and the Agency has a crucial role to play in ensuring that the promise of the new law is realized. The updated law also directs the Centers for Disease Control to investigate and respond to potential cancer clusters and improve communication and data sharing between local, state and federal governments. Given that this implementation will overlap with the change of Administrations, we want to ensure there is continuity and continued momentum during this critical phase."

In the letter, the senators stressed the importance of communication between the presidential transition team and the EPA to ensure successful implementation of the critical reform law, which will safeguard public health and the environment and bolster confidence in the marketplace for

manufactures and consumers alike. They noted that the EPA yesterday announced ahead of schedule the first 10 chemicals for risk evaluation, as required by the new law.

"We want to work with you next year to see this bipartisan law succeed," **the senators concluded.** "In order for that to happen, we urge that you begin working with the Agency to communicate on critical steps that are underway and to get a full appreciation of the new law's deadlines. We urge that you view appointments, funding and staffing to this office with utmost importance. It is essential to maintain momentum during the Presidential transition and in the early months of the new Administration to ensure that this new law is successful."

**The full text of the letter is available below and here.**

*Dear Mr. Vice President-Elect:*

*As you continue the transition process, we want to highlight for you the implementation of the Frank R. Lautenberg Chemical Safety for the 21st Century Act. This bill to reform the Toxic Substances Control Act (TSCA) of 1976 was signed by the President on June 22, 2016. The badly needed reforms were widely supported in Congress by a 403-12 vote in the House of Representatives and by voice vote in the Senate with near unanimous support. The effort took several years to complete, resulting in the most recent reform of a landmark environmental law since the 1990 Clean Air Act amendments.*

*TSCA was severely crippled in the 1990s and failed to provide basic health and safety protection for the American public. Uncertainty in the regulatory program also harmed innovation and consumer confidence in everyday products. The reformed law requires the Environmental Protection Agency (EPA) to make many critical decisions in the first months and years of the program, and the Agency has a crucial role to play in ensuring that the promise of the new law is realized. The updated law also directs the Centers for Disease Control to investigate and respond to potential cancer clusters and improve communication and data sharing between local, state and federal governments. Given that this implementation will overlap with the change of Administrations, we want to ensure there is continuity and continued momentum during this critical phase.*

*Having worked to strengthen and pass the Lautenberg Act in order to help protect children and communities from dangerous chemicals, we are now looking to EPA to vigorously implement the new law. This includes moving expeditiously to identify and address chemicals with the greatest potential impact on public health, especially those affecting vulnerable populations expressly required to be protected in the Act, including pregnant women, children, workers, and other at-risk communities. The EPA announced the first ten chemicals for risk evaluation ahead of schedule. Successful implementation of this law will also help ensure there is certainty and restore confidence in the marketplace for manufacturers, consumer product producers, and the public.*

*We want to work with you next year to see this bipartisan law succeed. In order for that to happen, we urge that you begin working with the Agency to communicate on critical steps that are underway and to get a full appreciation of the new law's deadlines. We urge that you view appointments, funding and staffing to this office with utmost importance. It is essential to maintain momentum during the Presidential transition and in the early months of the new Administration to ensure that this new law is successful.*

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**Sent:** 12/1/2016 3:16:09 PM  
**To:** Black, Jonathan (Tom Udall) [Jonathan\_Black@tomudall.senate.gov]  
**CC:** Kaiser, Sven-Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ac78d3704ba94edbbd0da970921271ff-SKAISER]  
**Subject:** Re: Bipartisan Group of Senators Urge Smooth Transition for Chemical Safety Reform Implementation in New Administration

Myron Ebell is the head of the EPA transition team. Let me see if we know how to ensure he gets it. Jim

Sent from my iPhone

On Dec 1, 2016, at 7:12 AM, Black, Jonathan (Tom Udall) <Jonathan\_Black@tomudall.senate.gov> wrote:

Thanks!

Any idea who to actually send it to? We sent it over through USPS and to a GSA web email for the Transition team, but would like to get it to a real live person.

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**From:** Jones, Jim [mailto:Jones.Jim@epa.gov]  
**Sent:** Thursday, December 01, 2016 10:11 AM  
**To:** Black, Jonathan (Tom Udall) <Jonathan\_Black@tomudall.senate.gov>  
**Subject:** Fwd: Bipartisan Group of Senators Urge Smooth Transition for Chemical Safety Reform Implementation in New Administration

Nice!

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**From:** "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov>  
**Date:** December 1, 2016 at 6:55:51 AM PST  
**To:** "Jones, Jim" <Jones.Jim@epa.gov>, "Cleland-Hamnett, Wendy" <Cleland-Hamnett.Wendy@epa.gov>, "Morris, Jeff" <Morris.Jeff@epa.gov>, "Cunningham-HQ, Barbara" <Cunningham-HQ.Barbara@epa.gov>, "Strauss, Linda" <Strauss.Linda@epa.gov>, "Schmit, Ryan" <schmit.ryan@epa.gov>, "Distefano, Nichole" <DiStefano.Nichole@epa.gov>, "Brown, Tristan" <Brown.Tristan@epa.gov>  
**Subject:** Bipartisan Group of Senators Urge Smooth Transition for Chemical Safety Reform Implementation in New Administration

FYI

Sven-Erik Kaiser  
U.S. EPA  
Office of Congressional and Intergovernmental Relations  
1200 Pennsylvania Ave., NW (1305A)  
Washington, DC 20460  
202-566-2753

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**From:** Black, Jonathan (Tom Udall) [[mailto:Jonathan\\_Black@tomudall.senate.gov](mailto:Jonathan_Black@tomudall.senate.gov)]  
**Sent:** Thursday, December 01, 2016 9:41 AM  
**To:** Kaiser, Sven-Erik <[Kaiser.Sven-Erik@epa.gov](mailto:Kaiser.Sven-Erik@epa.gov)>  
**Subject:** FW: Bipartisan Group of Senators Urge Smooth Transition for Chemical Safety Reform Implementation in New Administration

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**Sent:** Wednesday, November 30, 2016 5:34 PM  
**To:** Tom Udall Press Office <[NEWS\\_PressOffice@tomudall.senate.gov](mailto:NEWS_PressOffice@tomudall.senate.gov)>  
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"We want to work with you next year to see this bipartisan law succeed," **the senators concluded.** "In order for that to happen, we urge that you begin working with the Agency to communicate on critical steps that are underway and to get a full appreciation of the new law's deadlines. We urge that you view appointments, funding and staffing to this office with utmost importance. It is essential to maintain momentum during the Presidential transition and in the early months of the new Administration to ensure that this new law is successful."

**The full text of the letter is available below and [here](#).**

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*Dear Mr. Vice President-Elect:*

*As you continue the transition process, we want to highlight for you the implementation of the Frank R. Lautenberg Chemical Safety for the 21st Century Act. This bill to reform the Toxic Substances Control Act (TSCA) of 1976 was signed by the President on June 22, 2016. The badly needed reforms were widely supported in Congress by a 403-12 vote in the House of Representatives and by voice vote in the Senate with near unanimous support. The effort took several years to complete, resulting in the most recent reform of a landmark environmental law since the 1990 Clean Air Act amendments.*

*TSCA was severely crippled in the 1990s and failed to provide basic health and safety protection for the American public. Uncertainty in the regulatory program also harmed innovation and consumer confidence in everyday products. The reformed law requires the Environmental Protection Agency (EPA) to make many critical decisions in the first months and years of the program, and the Agency has a crucial role to play in ensuring that the promise of the new law is realized. The updated law also directs the Centers for Disease Control to investigate and respond to potential cancer clusters and improve communication and data sharing between local, state and federal governments. Given that this implementation will overlap with the change of Administrations, we want to ensure there is continuity and continued momentum during this critical phase.*

*Having worked to strengthen and pass the Lautenberg Act in order to help protect children and communities from dangerous chemicals, we are now looking to EPA to vigorously implement the new law. This includes moving expeditiously to identify and address chemicals with the greatest potential impact on public health, especially those affecting vulnerable populations expressly required to be protected in the Act, including pregnant women, children, workers, and other at-risk communities. The EPA announced the first ten chemicals for risk evaluation ahead of schedule. Successful implementation of this law will also help ensure there is certainty and restore confidence in the marketplace for manufacturers, consumer product producers, and the public.*

*We want to work with you next year to see this bipartisan law succeed. In order for that to happen, we urge that you begin working with the Agency to communicate on critical steps that are underway and to get a full appreciation of the new law's deadlines. We urge that you view appointments, funding and staffing to this office with utmost importance. It is essential to maintain momentum during the Presidential transition and in the early months of the new Administration to ensure that this new law is successful.*

###

Message

---

**From:** Black, Jonathan (Tom Udall) [Jonathan\_Black@tomudall.senate.gov]  
**Sent:** 1/29/2016 9:03:23 PM  
**To:** Distefano, Nichole [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31d32a3a3a9e4591b5fdcf3eb96e8b78-Distefano,]; Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]; Kaiser, Sven-Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ac78d3704ba94edbbd0da970921271ff-SKAISER]  
**Subject:** Sen. Udall, FYI

I believe he may try to reach the Administrator and Jim Jones.

He wants to thank EPA for the TSCA views letter.

I don't think he needs to have a long conversation and may just leave a message for the Administrator and then catch Jim for a quick call.

Nothing you need to prep for or arrange.

Message

---

**From:** Brett Korte [korte@eli.org]  
**Sent:** 7/13/2016 9:31:39 PM  
**To:** Jay Pendergrass [pendergross@eli.org]; Scott Fulton [fulton@eli.org]; lbergeson@lawbc.com [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9530e97746d74c8484fd5469fbf432e1-lbergeson@lawbc.com]; Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]; Brozena, Sarah (Sarah\_Brozena@americanchemistry.com) [Sarah\_Brozena@americanchemistry.com]; rdenison@edf.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0b2358277ea84ca2a4375a8b8744a7af-rdenison@edf.org]; McCarthy, David <David.McCarthy@mail.house.gov> (David.McCarthy@mail.house.gov) [David.McCarthy@mail.house.gov]; Black, Jonathan (Tom Udall) [Jonathan\_Black@tomudall.senate.gov] [Jonathan\_Black@tomudall.senate.gov]; Donda\_Morgan@tomudall.senate.gov  
**CC:** chowlin@lawbc.com; Chandler Randol [randol@eli.org]; Jordan, Alex (Tom Udall) [Alex\_Jordan@tomudall.senate.gov]; Milhouse, Gloria [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0a424462e03c4a82ba83121d59d8b34d-Gmilhou]; Mojica, Andrea [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f47e2a2bfbc4434aa9cc1e8c2a385da3-Andrea Mojica]; Schmit, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7077ecbac4914a00ad465398f92bbe78-Schmit, Ryan]  
**Subject:** Speaker Information - The Story of TSCA Reform (7/14)  
**Attachments:** TSCA Story RSVPs.pdf

Dear All,

Thank you for participating in yesterday's planning call for ELI's seminar, "**The Story of TSCA Reform.**" I think we are on track for a great program!

As a reminder the seminar is tomorrow Thursday, **July 14, 2016 from 2:00 pm - 4:30 pm EDT. Please plan to arrive at 2:00 pm.**

Below is a timeline and format of the seminar. I know this is not comprehensive, but it is usually helpful to have a very broad overview to jog everyone's memory of our conservation. I am attaching a list of registered participants as of this morning.

**Please note, all times are Eastern.**

**Thursday, July 14**

- **2:00 pm - Speakers arrive at ELI (directions infra) refreshments served**
- **2:15 pm** - guests begin to arrive; speakers are mic'd
- **2:30 pm** - Seminar begins. **Scott Fulton** gives welcome, **John Pendergrass** introduces panelists. (5 min.)
- **2:35 pm - panelist's individual** remarks (5-10 min. each)
  - The intent of this panel is to highlight the history and process of passing TSCA reform. Particularly, it should highlight how this historic achievement resulted. However, this may require discussing the substance of TSCA, particularly if it relates to policy compromises that helped achieve the deal.

**Speaker Order:** Sen. Udall, McCarthy, Jones, Bergeson, Brozena, Denison \*(David Goldston is not participating)\*

- Approx. 3:30 pm - **John** and **Brett** coordinate **Q&A** among panel and with audience
- **4:00 pm** - Seminar concludes

**ELI's Location:** We are at 1730 M. Street, NW in Suite 700. The closest metro stops are Farragut North (Red Line) and Farragut West (Blue, Orange & Silver).

The seminar is posted online. Please share the following link with any colleagues who may be interested in joining, either here at ELI or via webinar: <http://www.eli.org/events/story-tsca-reform>.

Thank you once again for joining the panel and lending your expertise to this seminar. Please let me know if I can answer any questions.

Best Regards,

Brett

Brett M. Korte  
Staff Attorney; Director of Professional Education  
Environmental Law Institute  
1730 M Street NW, Suite 700 | Washington, DC 20036  
p: [202.939.3852](tel:202.939.3852) | f: [202.939.3868](tel:202.939.3868)  
[korte@eli.org](mailto:korte@eli.org) | [www.eli.org](http://www.eli.org)

*If you're not an ELI member, you should be!*  
Go [HERE](#) to learn more and/or sign up!



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Message

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**From:** Brett Korte [korte@eli.org]  
**Sent:** 7/14/2016 10:13:45 PM  
**To:** Jay Pendergrass [pendergrass@eli.org]; Scott Fulton [fulton@eli.org]; lbergeson@lawbc.com [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9530e97746d74c8484fd5469fbf432e1-lbergeson@lawbc.com]; Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]; Brozena, Sarah (Sarah\_Brozena@americanchemistry.com) [Sarah\_Brozena@americanchemistry.com]; rdenison@edf.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0b2358277ea84ca2a4375a8b8744a7af-rdenison@edf.org]; McCarthy, David <David.McCarthy@mail.house.gov> (David.McCarthy@mail.house.gov) [David.McCarthy@mail.house.gov]; Black, Jonathan (Tom Udall) (Jonathan\_Black@tomudall.senate.gov) [Jonathan\_Black@tomudall.senate.gov]; Donda\_Morgan@tomudall.senate.gov; dgoldston@nrdc.org  
**CC:** chowlin@lawbc.com; Chandler Randol [randol@eli.org]; Milhouse, Gloria [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0a424462e03c4a82ba83121d59d8b34d-Gmilhous]  
**Subject:** RE: Speaker Information - The Story of TSCA Reform (7/14)

Hi Everyone,

For myself and on behalf of ELI, thank you so much for participating in today's seminar, "The Story of TSCA Reform!" You each brought a valuable and unique perspective to the panel, and the dialogue produced was most compelling.

I will let everyone know when the video is posted online. That should happen in the next few days.

Our editorial staff will be in touch regarding publication of the transcript in one of ELI's journals. We will be seeking your review and permission before hand.

Thanks Again,

Brett Korte

---

**From:** Brett Korte  
**Sent:** Wednesday, July 13, 2016 5:32 PM  
**To:** Jay Pendergrass; Scott Fulton; lbergeson@lawbc.com; Jones.Jim@epa.gov; Brozena, Sarah (Sarah\_Brozena@americanchemistry.com); Richard Denison (rdenison@edf.org); McCarthy, David (David.McCarthy@mail.house.gov); Black, Jonathan (Tom Udall) (Jonathan\_Black@tomudall.senate.gov); Donda\_Morgan@tomudall.senate.gov  
**Cc:** chowlin@lawbc.com; Chandler Randol; 'Jordan, Alex (Tom Udall)'; 'Milhouse, Gloria'; 'Mojica, Andrea'; 'Schmit, Ryan'  
**Subject:** Speaker Information - The Story of TSCA Reform (7/14)

Dear All,

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As a reminder the seminar is tomorrow Thursday, **July 14, 2016 from 2:00 pm - 4:30 pm EDT. Please plan to arrive at 2:00 pm.**

Below is a timeline and format of the seminar. I know this is not comprehensive, but it is usually helpful to have a very broad overview to jog everyone's memory of our conservation. I am attaching a list of registered participants as of this morning.

Please note, all times are Eastern.

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- **2:15 pm** - guests begin to arrive; speakers are mic'd
- **2:30 pm** - Seminar begins. **Scott Fulton** gives welcome, **John Pendergrass** introduces panelists. (5 min.)
- **2:35 pm** - **panelist's individual** remarks (5-10 min. each)
  - The intent of this panel is to highlight the history and process of passing TSCA reform. Particularly, it should highlight how this historic achievement resulted. However, this may require discussing the substance of TSCA, particularly if it relates to policy compromises that helped achieve the deal.

**Speaker Order:** Sen. Udall, McCarthy, Jones, Bergeson, Brozena, Denison \*(David Goldston is not participating)\*

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Thank you once again for joining the panel and lending your expertise to this seminar. Please let me know if I can answer any questions.

Best Regards,

Brett

Brett M. Korte  
Staff Attorney; Director of Professional Education  
Environmental Law Institute  
1730 M Street NW, Suite 700 | Washington, DC 20036  
p: [202.939.3852](tel:202.939.3852) | f: [202.939.3868](tel:202.939.3868)  
[korte@eli.org](mailto:korte@eli.org) | [www.eli.org](http://www.eli.org)

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Message

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**From:** Black, Jonathan (Tom Udall) [Jonathan\_Black@tomudall.senate.gov]  
**Sent:** 7/6/2016 4:56:26 PM  
**To:** Kaiser, Sven-Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ac78d3704ba94edbbd0da970921271ff-SKAISER]; Distefano, Nichole [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31d32a3a3a9e4591b5fdcf3eb96e8b78-Distefano,]; Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]  
**Subject:** FW: You're Invited | Reception Celebrating TSCA Law  
**Attachments:** removed.txt

FYI...

---

**From:** Bipartisan Policy Center [mailto:events@bipartisanpolicy.org]  
**Sent:** Tuesday, July 05, 2016 2:22 PM  
**To:** Alyssa Yeroshefsky <ayeroshefsky@bipartisanpolicy.org>  
**Subject:** You're Invited | Reception Celebrating TSCA Law



*Reception Celebrating  
Updated TSCA Law*

**Tuesday, July 12, 2016**  
**4:00 p.m. - 5:30 p.m. ET**  
**Add to calendar**



**FEATURING**

**Sen. Tom Udall (D-NM)**  
Ranking Member, Appropriations  
Subcommittee on Interior and Environment

**Rep. John Shimkus (R-IL)**  
Chairman, Energy and Commerce  
Subcommittee on Environment and  
Economy

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**WHEN:**

Tuesday, July 12, 2016  
4:00 p.m. - 5:30 p.m. ET

**WHERE:**

House Side of Capitol  
Lincoln Room, H-226 (entrance located in  
Statuary Hall)  
Washington, D.C. 20004



*\*For Capitol security purposes, please ensure that you RSVP 48 hours before the event.\**

**Bipartisan Policy Center**

1225 Eye Street NW - Suite 1000 - Washington, D.C. 20005 - (202) 204-2400  
[bipartisanpolicy.org](http://bipartisanpolicy.org)

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Message

---

**From:** Brett Korte [korte@eli.org]  
**Sent:** 7/11/2016 6:42:56 PM  
**To:** Jay Pendergrass [pendergass@eli.org]; lbergeson@lawbc.com [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9530e97746d74c8484fd5469fbf432e1-lbergeson@lawbc.com]; rdenison@edf.org [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0b2358277ea84ca2a4375a8b8744a7af-rdenison@edf.org]; Brozena, Sarah (Sarah\_Brozena@americanchemistry.com) [Sarah\_Brozena@americanchemistry.com]; dgoldston@nrdc.org; McCarthy, David [David.McCarthy@mail.house.gov]; Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]; Donda\_Morgan@tomudall.senate.gov  
**CC:** chowlin@lawbc.com; Jordan, Alex (Tom Udall) [Alex\_Jordan@tomudall.senate.gov]; Black, Jonathan (Tom Udall) [Jonathan\_Black@tomudall.senate.gov]; Milhouse, Gloria [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0a424462e03c4a82ba83121d59d8b34d-Gmilhous]; Mojica, Andrea [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f47e2a2bfb4434aa9cc1e8c2a385da3-Andrea Mojica]; Schmit, Ryan [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7077ecbac4914a00ad465398f92bbe78-Schmit, Ryan]; Chandler Randol [randol@eli.org]  
**Subject:** 7/14 Panel Information - The Story of TSCA Reform  
**Attachments:** Story of TSCA Reform Write-Up.pdf

Dear All,

Thank you very much for agreeing to participate as an expert panelist for ELI's upcoming membership seminar, "**The Story of TSCA Reform**." The event will take place this **Thursday, July 14, 2016** from **2:30 PM - 4:00 PM EDT** at ELI's office. A list of your fellow panelists and a description of the program are available on the attached announcement and on the event webpage. Please share either with publicity departments and/or colleagues who may want to attend.

If you all think it would be useful, I am happy to schedule a **planning call** to discuss the logistics and content of the program. This call should only take about 30 minutes. I have created a poll to gauge everyone's availability for various times tomorrow and Wednesday. Please note, an assistant may participate on the call if you are unavailable. You can access the poll here: <http://doodle.com/poll/zkqx3d3k6c7hqynd>.

Thank you all for your time. I look forward to working with you to facilitate a dynamic discussion on this timely and important topic. Please let me know if I can answer any questions or address any concerns.

Best Regards,

Brett Korte

Brett M. Korte  
Staff Attorney; Director of Professional Education  
Environmental Law Institute  
1730 M Street NW, Suite 700 | Washington, DC 20036  
p: [202.939.3852](tel:202.939.3852) | f: [202.939.3868](tel:202.939.3868)  
[korte@eli.org](mailto:korte@eli.org) | [www.eli.org](http://www.eli.org)

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Go [HERE](#) to learn more and/or sign up!



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# The Story of TSCA Reform

## An ELI Membership Seminar

On June 22, 2016 President Obama signed the Frank R. Lautenberg Chemical Safety for the 21<sup>st</sup> Century Act, amending the Toxic Substances Control Act for the first time since its passage in 1976. While environmental organizations, public health advocates, the regulated community, and EPA have all supported updating the law since at least 2009, political challenges seemed destined to prevent comprehensive reform. Nonetheless, dedicated advocates from various stakeholder groups and committed members of Congress and their staffs overcame the hurdles and passed the most significant federal environmental law in a quarter century.

How did stakeholders and elected officials negotiate the political gridlock surrounding most recent attempts at environmental legislation? How were major issues such as the preemption of state law and financing addressed? What other roadblocks were overcome, and what can environmental, public health, and industry advocates learn from the experience?

Join us to examine the unique history of TSCA reform, and hear from people and organizations critical to its ultimate success. Speakers will share insight from the road to reform and field questions from the audience.

### Panelists:

John Pendergrass, VP of Programs & Publications, Environmental Law Institute  
(moderator)

Lynn Bergeson, Managing Partner, Bergeson & Campbell PC

Sarah Brozena, Senior Director of Regulatory & Technical Affairs, American Chemistry Council

Richard Denison, Lead Senior Scientist, Environmental Defense Fund

David Goldston, Director of Government Affairs, Natural Resources Defense Council (invited)

Jim Jones, Assistant Administrator, Office of Chemical Safety & Pollution Prevention, US EPA

David J. McCarthy, Chief Counsel, Subcommittee on Environment and the Economy, House Committee on Energy and Commerce

Senator Tom Udall, US Senate (D-NM)

### When:

July 14, 2016  
2:30 PM to 4:00 PM ET

### Where:

Environmental Law Institute  
1730 M Street NW, Suite 700  
Washington, DC 20036

And via webinar

### RSVP:

July 12, 2016

Teleconference information will be emailed one business day prior to the event.



Message

---

**From:** Black, Jonathan (Tom Udall) [Jonathan\_Black@tomudall.senate.gov]  
**Sent:** 6/28/2016 1:54:50 PM  
**To:** Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group  
(FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]  
**Subject:** Photos

<https://blackdc.smugmug.com/TSCA-Signing>

Message

---

**From:** Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]  
**Sent:** 5/23/2016 2:46:28 PM  
**To:** Michal\_Freedhoff@markey.senate.gov; Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]; Distefano, Nichole [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31d32a3a3a9e4591b5fdcf3eb96e8b78-Distefano,]  
**Subject:** TSCA TA on mgrs amendment

Michal,  
This responds to the request to review the managers amendment (5-22 at 9:34pm).

The changes made to section 14(d) -- through the edits to pages 107 and 109 -- may change the operation of the language requiring disclosure of CBI pursuant to subpoena or other judicial process. Without the changes, the bill provided that the non-disclosure agreements entered into by medical professionals or other responders did not shield the information from judicial process (including, presumably, process directed toward the responder). As revised, the bill could be read to provide only that EPA must disclose information in response to a subpoena or other judicial process but to be silent on whether other parties must do so.

Please let me know if any questions. Thanks,  
Sven

Message

---

**From:** Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]  
**Sent:** 5/23/2016 3:01:32 PM  
**To:** Freedhoff, Michal (Markey) [Michal\_Freedhoff@markey.senate.gov]  
**CC:** Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]; Distefano, Nichole [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31d32a3a3a9e4591b5fd3eb96e8b78-Distefano,]  
**Subject:** Re: TSCA TA on mgrs amendment

Got it - checking

On May 23, 2016, at 11:00 AM, Freedhoff, Michal (Markey) <Michal\_Freedhoff@markey.senate.gov> wrote:

Thanks - Saturday, your TA on Senate was that the savings clause in question was not necessary because section 14 itself is only about what EPA can and can't disclose. The savings clause was in the Senate bill in a more broadly applicable location, and then HLC stuck it somewhere else for no real reason. Does its placement change meaning from the Senate-passed version?

Michal Ilana Freedhoff, Ph.D.  
Director of Oversight & Investigations  
Office of Senator Edward J. Markey  
255 Dirksen Senate Office Building  
Washington, DC 20510  
202-224-2742

Connect with Senator Markey

-----Original Message-----

From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]  
Sent: Monday, May 23, 2016 10:46 AM  
To: Freedhoff, Michal (Markey); Jones, Jim; Distefano, Nichole  
Subject: TSCA TA on mgrs amendment

Michal,  
This responds to the request to review the managers amendment (5-22 at 9:34pm).

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Please let me know if any questions. Thanks, Sven